

**ATTACHMENT B**  
**California Energy Commission**  
**Air Quality Self-Certification Checklist for Simple-Cycle Gas Turbine Generation Units**

License Application for:

☒ New Emissions Unit(s) at a New Stationary Source

☐ New Emissions Unit(s) at an Existing Stationary Source

DISTRICT: <b>South Coast Air Quality Management District</b>	DATE: <b>April 23, 2001</b>
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**FACILITY INFORMATION**

License to be Issued to: <b>Pegasus Power Partners, LLC – The Pegasus Project, Chino, California</b>		
Mailing Address: <b>89 Headquarters Plaza, North Tower, 14<sup>th</sup> Floor</b>		
City: <b>Morristown</b>	State: <b>NJ</b>	Zip Code: <b>07960</b>
Address Where Equipment Will be Operated: <b>California State Correctional Facility in Chino, California – Next door to 5601 Eucalyptus Avenue</b>		
City: <b>Chino</b>	State: <b>CA</b>	Zip Code: <b>91710</b>
Nature of Business: <b>Electric Generation facility</b>	SIC Code: <b>4911</b>	
Facility Contact Person: <b>Jay Roland</b>	Phone Number: <b>(714) 437-5036</b>	
	Fax Number: <b>(714) 437-5051</b>	
	Email: <b>Jroland@deltapower.com</b>	
Application Information Contact Person (if different from above): <b>Douglas Timpe, Black &amp; Veatch Corporation</b>	Phone Number: <b>(913) 458-7214</b>	
	Fax Number: <b>(913) 458-2934</b>	
	Email: <b>Timped@bv.com</b>	
Will the facility be under contract to sell its power within California? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, state the entity contracted with and the percentage of power that will be sold: <b><u>California Independent System Operator, the Department of Water Resources (100% in Aggregate)</u></b>		
What is the maximum total electrical output of the new power generation equipment at International Standards Organization (ISO) conditions? <div style="text-align: right;"><b>180    MW</b></div>		
Estimated construction start date: <b><u>07 / 01 / 01</u></b> Estimated completion date: <b><u>09 / 30 / 01</u></b>		
Length of commissioning period (from date of initial startup): <b><u>16 Days (for 4 units)</u></b>		

## NEW EQUIPMENT INFORMATION

<b>TURBINE #1</b>	If multiple identical units, indicate number of units of this type: <u>4</u>		
		<b>45 MW</b>	MW
	Manufacturer: <b>General Electric</b>		
	Model: <b>LM6000 Enhanced Sprint</b>		
	Maximum Heat Input (based on HHV of fuel): <b>467.5</b> MMBtu/hr		
<b>TURBINE #2</b>	If multiple identical units, indicate number of units of this type: _____		
		MW	MW
	Manufacturer:		
	Model:		
	Maximum Heat Input (based on HHV of fuel): MMBtu/hr		

Suggested Best Available Control Technology (BACT)		Emission Level	Control Technology
	NOx	5 ppmvd @ 15% O <sub>2</sub> (1-hr rolling average)	Selective catalytic reduction or other equivalent control device
	CO	6 ppmvd @ 15% O <sub>2</sub> (1-hr rolling average)	Oxidation catalyst or equivalent control device
	VOC	2 ppmvd @ 15% O <sub>2</sub> (1-hr rolling average)	Oxidation catalyst or equivalent control device
	PM10	Emission limit corresponding to natural gas firing (PUC quality natural gas)	Natural gas firing (PUC quality natural gas)
	SO2	Emission limit corresponding to natural gas firing (PUC quality natural gas)	Natural gas firing (PUC quality natural gas)
	If applicable, NH3	10 ppmvd @ 15% O <sub>2</sub> (1-hr rolling average)	

<b>Selective Catalytic Reduction Information, if applicable</b>	<b>If not indicated, please specify units of measurement:</b>			
	<b>Ammonia Storage Tank(s):</b>	Tank type: <b>Pressurized Fixed Roof tank</b>		
		Number of tanks: <b>1</b>		
		Tank size: <b>15,000 Gallons</b>		
		Reactant type: [ ] Anhydrous ammonia [X] Aqueous ammonia [ ] Urea If aqueous ammonia, indicate ammonia concentration: _____		
		Turnover rate:		
	<b>SCR Manufacturer:</b>	<b>Englehard Corporation, Johnson Mathey, or Equivalent</b>		
	<b>SCR Make:</b>			
	<b>SCR Model:</b>	<b>Deltak S00121, or Equivalent</b>		
	<b>Catalyst dimensions:</b>	Length: <b>20 feet</b>	Width: <b>12 feet</b>	Height: <b>50 feet</b>
	Pressure drop across SCR unit: <b>3" to 3.9" of water</b>			
	Pressure drop across ammonia injection grid:			
	Space velocity (gas flow rate/catalyst volume): Approximately <b>30,000 hr<sup>-1</sup></b>			
	Area velocity (gas flow rate/wetted catalyst surface area): <b>0.025 ft/sec</b>			

## NEW EQUIPMENT INFORMATION (continued)

Selective Catalytic Reduction information, if applicable (continued)	Manufacturer's guarantee:	Control efficiency: 80 %	Catalyst life: 3 - 4 yrs
	Ammonia injection rate: Approximately 100 lbs/hour of aqueous ammonia solution (19% ammonia)		
	NOx concentration into SCR unit: 25 ppmvd @ 15% O2		
	SO2 oxidation rate: Approximately 4%		SO3 emissions:
	Operating temperature range of catalyst Not Available °F		
	Temperature at which ammonia injection will begin: Not Available °F		

Oxidation Catalyst information, if applicable	If not indicated, please specify units of measurement:			
	Manufacturer:	Englehard Corporation		
	Make:	Deltak		
	Model:			
	Catalyst dimensions:	Length: ft	Width: ft	Height: ft
	Pressure drop across catalyst: Approximately 2 inches of water			
	Manufacturer's guarantee:	CO control efficiency: 90 %	Catalyst life: yrs	
		VOC control efficiency: 33 %		
	Space velocity (gas flow rate/catalyst volume): Approximately 150,000 hr <sup>-1</sup>			
	Area velocity (gas flow rate/wetted catalyst surface area):			
	Catalyst cell density (cells per square inch): About 150 cell per square inch			
	CO concentration into catalyst:		Varies between 15 to122	ppmvd @ 15% O2
	VOC concentration into catalyst:		3	ppmvd @ 15% O2
	Operating temperature range of catalyst:		500 to 1,200 °F	

Fuel Data	Fuel Type: Natural gas		Specify sulfur content if other than 5 gr/100 scf	
	Higher Heating Value: 1,050	Btu/scf	Sulfur Content:	<b>0.5</b> gr/100 scf
	Maximum Fuel Consumption Rate: <b>0.445</b> MMscf/hr			
	Exhaust Data:	Flow:	<b>21.4 to 39.4</b> m/sec	M/sec or m <sup>3</sup> /sec or acfm

On-line Normalized Emission Rate	(If corrected to other than 15% O2, indicate at right)			%O <sub>2</sub>
	Specify by units listed below or indicate other values and units at right:			
	NOX	ppmvd on a 1-hr rolling avg.	lb/MMBtu	
	CO	ppmvd on a 1-hr rolling avg.	lb/MMBtu	
	VOC	ppmvd on a 1-hr rolling avg.	lb/MMBtu	
	PM10		0.0066 lb/MMBtu	
	SO <sub>2</sub>		0.00075 lb/MMBtu	
	If applicable, NH <sub>3</sub>	ppmvd on a 1-hr rolling avg.	lb/MMBtu	

**NEW EQUIPMENT INFORMATION (continued)**

On-line Mass Emission Rate (each turbine)		Hourly [lbs/hr]	Daily [lbs/day]	Quarterly [lbs/qtr]	Annual [tons/yr]
	NOX	8.6 (max)	206.4		32.3
	CO	5.7 (max)	136.8		21.4
	VOC	0.9	21.6		3.4
	PM10	3.1 (max)	74.4		11.6
	SO <sub>2</sub>	0.32 (max)	7.7		1.2
	If applicable, NH3	2.3	55.2		8.6
Startup and Shutdown Mass Emission Rate (each turbine)		Startup Emissions Hourly [lbs/hr]		Shutdown Emissions Hourly [lbs/hr]	
	NOX	16.23		8.6	
	CO	31.47		12.60	
	VOC	1.30		1.20	
	PM10	3.1		3.1	
	SO <sub>2</sub>	0.32		0.32	
Commissioning Period Mass Emission Rate (each turbine)		Hourly [lbs/hr]		Total (lbs per turbine)	
	NOx			1,808	
	CO			654	
	VOC			85	
	PM10			166	
	SO <sub>2</sub>			17	

Operating Parameters	Operating Hours:	[hrs/day]	[hrs/qtr]	[hrs/yr]
	Startup Data:	Number of startups per day: 10		
		Number of startups per year: 365		
		Startup duration: 15 minutes		
	Shutdown Data:	Number of shutdowns per day: 10		
		Number of shutdowns per year: 365		
		Shutdown duration: 10 minutes		

### NEW EQUIPMENT INFORMATION (continued)

Facility Annual Emissions and Emissions to be Offset		Facility Annual Emissions [tons/yr]	Emissions That Need to be Offset				
			Q1 [lbs/qtr]	Q2 [lbs/qtr]	Q3 [lbs/qtr]	Q4 [lbs/qtr]	Annual [tons/yr]
	NOx	129.0	Offsets to be provided on average daily emissions during the worst-case month				
	CO	85.6					
	VOC	13.5					
	PM10	46.5					
	SO <sub>2</sub>	4.8					

Offsets to be Provided If Necessary)		Offset Ratio	Offsets Required				Source of Offsets
			Q1 [lbs/qtr]	Q2 [lbs/qtr]	Q3 [lbs/qtr]	Q4 [lbs/qtr]	
	NOx	1.2:1	960 lbs/day				[ X ] State bank* [ X ] District bank [ ] Other, specify: _____
	CO	1.2:1	1,445 lbs/day				[ X ] State bank [ X ] District bank [ ] Other, specify: _____
	VOC	1.2:1	130 lbs/day				[ X ] State bank [ X ] District bank [ ] Other, specify: _____
	PM10	1.2:1	331 lbs/day				[ X ] State bank [ X ] District bank [ ] Other, specify: _____
	SO <sub>2</sub>	1.2:1	34 lbs/day				[ X ] State bank [ X ] District bank [ ] Other, specify: _____

<b>Monitoring and Reporting</b>	<p>What is the make/model of the continuous emissions monitoring system (CEMS), if known?            Make: _____            Model: _____</p> <p>The following parameters will be continuously monitored:  <input type="checkbox"/> NOx  <input type="checkbox"/> CO  <input type="checkbox"/> O<sub>2</sub>  <input type="checkbox"/> Fuel flow rate  <input type="checkbox"/> Ammonia injection rate  <input type="checkbox"/> Other, please specify: _____</p> <p>Will the CEMS be used to measure both on-line and startup/shutdown emissions?  <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>
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\*Note: The initial amount of NOx offsets that can be acquired from the State bank is 21 tons/yr x the applicable offset ratio for each 50 MW of new generating capacity.

## ADDITIONAL INFORMATION

1. **Facility Location:** ☒ Urban (area of dense population) ☐ Rural (area of sparse population)

Will the facility be located within 1,000 feet of a school? ☐ Yes ☒ No

(Note: Per Section 42301.9 of the California Health and Safety Code, a "school" means any public or private school used for purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.)

2. **Nearest Receptor:**

Distance to nearest residence 5,068.8 feet from nearest stack

Distance to nearest business 2,691.9 feet from nearest stack

### Air Dispersion Modeling Input Data

3. **Stack Parameters:**

Height 110 feet Inside diameter 10 feet

Is a rain cap present on the exhaust stack? ☐ Yes ☒ No

Direction of exhaust from structure or device: ☒ Vertical ☐ Horizontal

Building Dimension Data for Downwash Calculations:

a) Building Height 50 feet

b) Minimum horizontal building dimension 10 feet

c) Maximum horizontal building dimension 103.35 feet

4. Was an ambient air quality impact analysis required for this project? ☒ Yes ☐ No

If Yes, was an ambient air quality impact analysis conducted as required by District rules? ☒ Yes ☐ No

If Yes, please attach the analysis and provide an electronic version on disk or CD.

5. Was a health risk assessment required for this project? ☒ Yes ☐ No

If Yes, was a health risk assessment conducted as required by District rules? ☒ Yes ☐ No

If Yes, please attach the analysis and provide an electronic version on disk or CD.

6. Please attach a site map for the project.

## CERTIFICATION

Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are, true, accurate, and complete.

\_\_\_\_\_  
Responsible Official (Please Print Name)

\_\_\_\_\_  
Signature of Responsible Official

\_\_\_\_\_  
Date

**ATTACHMENT C**  
**California Energy Commission**  
**Air Quality Application for Simple-Cycle Gas Turbine Generation Units**  
**AUTHORITY TO CONSTRUCT**

Authority to Construct No.:

EQUIPMENT DESCRIPTION:

This Authority To Construct Is Issued And Is Valid For This Equipment Only While It Is In The Configuration Set Forth In The Following Description:

Installation Of A Simple-Cycle Gas Turbine Generator Consisting Of:

1. Simple Cycle Gas Turbine, [Make], [Model], [Rate Maximum Heat Input (MMBtu/hr)], [Nominal Electrical Output (MW) at ISO conditions], Natural Gas-Fired.
2. Selective Catalytic Reduction NOx Control System, [Make], [Model].
3. Ammonia Injection System, [Make], [Model]  
(including the ammonia storage tank and control system)
4. Oxidation Catalyst System, [Make], [Model].
5. Continuous emission monitoring system (CEMS) designed to continuously record the measured gaseous concentrations, and calculate and continuously monitor and record the NOx and CO concentrations in ppmvd corrected to 15% oxygen on a dry basis.

PERMIT CONDITIONS:

The Equipment For Which This Authority To Construct Is Issued May Be Operated Only When In Compliance With The Following Conditions:

1. Consistency with Analyses: Operation of this equipment shall be conducted in accordance with all information submitted with the application (and supplements thereof) and the analyses under which this permit is issued unless otherwise noted below.
2. Conflicts Between Conditions: In the event that any condition herein is determined to be in conflict with any other condition contained herein, then, if principles of law do not provide to the contrary, the condition most protective of air quality and public health and safety shall prevail to the extent feasible.
3. Reimbursement of Costs: All reasonable expenses, as set forth in the District's rules or regulations, incurred by the District for all activities that follow the issuance of this permit, including but not limited to permit condition implementation, compliance verification and emergency response, directly and necessarily related to enforcement of the permit shall be reimbursed by the owner/operator as required by the District's rules or regulations.

4. Access to Records and Facilities: As to any condition that requires for its effective enforcement the inspection of records or facilities by representatives of the District, the Air Resources Board (ARB), the U.S. Environmental Protection Agency (U.S. EPA), or the California Energy Commission (CEC), the owner/operator shall make such records available or provide access to such facilities upon notice from representatives of the District, ARB, U.S. EPA, or CEC. Access shall mean access consistent with California Health and Safety Code Section 41510 and Clean Air Act Section 114A.
5. Notification of Commencement of Operation: The owner/operator shall notify the District of the date of anticipated commencement of turbine operation not less than 10 days prior to such date. Temporary operations under this permit is granted consistent with the District's rules and regulations.
6. Operations: The gas turbine, emissions controls, CEMS and associated equipment shall be properly maintained and kept in good operating condition at all times when the equipment is in operation.
7. Visible Emissions: No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark or darker than Ringlemann 1 or equivalent 20% opacity.
8. Emissions Limits:
  - 8.1 Oxides of nitrogen (NO<sub>x</sub>) emissions from the gas turbine shall not exceed 5 ppmvd @ 15% O<sub>2</sub> (1-hour rolling average), except during periods of startup and shutdown as defined in this permit. The NO<sub>x</sub> emission concentration shall be verified by a District-approved continuous emission monitoring system (CEMS) and during any required source test.
  - 8.2 Ammonia emissions from the gas turbine shall not exceed 10 ppmvd @ 15% O<sub>2</sub> (1-hour rolling average), except during periods of startup and shutdown as defined in this permit. The ammonia emission concentration shall be verified by the continuous recording of the ratio of the ammonia injection rate to the NO<sub>x</sub> inlet rate to the SCR control system (molar ratio). A minimum NH<sub>3</sub>/NO<sub>x</sub> molar ratio of 1.0 shall be used at all times. The maximum allowable NH<sub>3</sub>/NO<sub>x</sub> molar ratio shall be determined during any required source test, and shall not be exceeded until reestablished through another valid source test.
  - 8.3 Carbon monoxide (CO) emissions from the gas turbine shall not exceed 6 ppmvd @ 15 % O<sub>2</sub> (1-hour rolling average), except during periods of startup and shutdown as defined in this permit. The CO emission concentration shall be verified by a District-approved CEMS and during any required source test.
  - 8.4 Volatile organic compound (VOC) emissions from the gas turbine shall not exceed 2 ppmvd @ 15% O<sub>2</sub> (1-hour rolling average), except during periods of startup and shutdown as defined in this permit. The VOC emission concentration shall be verified during any required source test.



- 8.5 Particulate matter emissions less than ten microns in diameter (PM10) from the gas turbine shall not exceed 3.09 pounds per hour, except during periods of startup and shutdown as defined in this permit. The PM10 mass emission rate shall be verified during any required source test.
- 8.6 Oxides of sulfur emissions (SOx) from the gas turbine shall not exceed 0.32 pounds per hour, except during periods of startup and shutdown as defined in this permit. The SOx emission rate shall be verified during any required source test.
9. Turbine Startup: Startup of the gas turbine shall not exceed a time period of 10 minutes each per occurrence, or another time period based on good engineering practice and approved in advance by the District. The startup clock begins with the turbine's initial firing and continues until the unit meets the emission concentration limits.
10. Turbine Shutdown: Shutdown of the gas turbine shall not exceed a time period of 10 minutes each per occurrence, or another time period based on good engineering practice and approved in advance by the District. Shutdown begins with initiation of the turbine shutdown sequence and ends with the cessation of turbine firing.
11. Mass Emission Limits: Mass emissions from the gas turbine shall not exceed the daily, quarterly, and annual mass emission limits listed in Table 1 and Table 2 below.

**TABLE 1 – MASS EMISSION LIMITS (EXCLUDING STARTUPS AND SHUTDOWNS)**

Pollutant	Maximum Daily (lb) Per Turbine	Quarterly (tons)	Annual (tons) Per Turbine
NOx (as NO <sub>2</sub> )	206.4		23.6
VOC	28.8		3.4
CO	302.4		21.4
SOx (as SO <sub>2</sub> )	7.7		0.9
PM10	74.2		8.4

**TABLE 2 – MASS EMISSION LIMITS - STARTUPS AND SHUTDOWNS**

Pollutant	Annual (tons) Per Turbine
NOx (as NO <sub>2</sub> )	3.4
VOC	0.3
CO	5.7
SOx (as SO <sub>2</sub> )	0.1
PM10	0.8

The daily, quarterly and annual mass limits are on a calendar basis. Compliance shall be based on sliding average one-hour readings through the use of process monitors (e.g., fuel use meters), CEMS, and source test results; and the monitoring, record-keeping and reporting conditions of this permit.

12. Operational Limits: In order to comply with the emission limits of this rule, the owner/operator shall comply with the following operational limits:

- (a) The heat input to the gas turbine shall not exceed the following:

Hourly:	<u>467.5</u>	MMBtu/hr
Daily:	<u>11,220</u>	MMBtu/day
Quarterly:	<u>          </u>	MMBtu/quarter
Annual:	<u>3.5 x10<sup>6</sup></u>	MMBtu/year

- (b) Only PUC Quality natural gas (General Order 58-a) shall be used to fire the gas turbine. The natural gas shall not contain total sulfur in concentrations exceeding 5 gr/100 scf or hydrogen sulfide exceeding 0.25 gr/100 scf.
- (c) The owner/operator of the gas turbine shall comply with the daily, quarterly, and annual emission limits listed in Table 1 by not operating more than 24 hours per day, \_\_\_\_\_ hours per calendar quarter, or **7,500** hours per year.
- (d) The damper on the gas turbine bypass stack shall remain in a fully closed position except during periods of startup and shutdown as defined in this permit.
- (e) The owner/operator of the gas turbine shall comply with the annual emission limits listed in Table 2 by limiting the turbine startups to no more than **365** occurrences per year, and by limiting turbine shutdowns to no more than **365** occurrences per year.

13. Monitoring Requirements: The owner/operator shall comply with the following monitoring requirements:

- (a) The gas turbine exhaust stack shall be equipped with permanent provisions to allow collection of stack gas samples consistent with EPA test methods.
- (b) The ammonia injection system shall be equipped with an operational ammonia flowmeter and injection pressure indicator accurate to plus or minus five percent at full scale and calibrated once every twelve months.
- (c) The gas turbine exhaust shall be equipped with continuously recording emissions monitor(s) for NO<sub>x</sub>, CO and O<sub>2</sub>. Continuous emissions monitors shall comply with the requirements of 40 CFR Part 60, Appendices B and F, and 40 CFR Part 75, and shall be capable of

monitoring concentrations and mass emissions during normal operating conditions and during startups and shutdowns.

- (d) The fuel heat input rate shall be continuously recorded using District-approved fuel flow meters along with quarterly fuel compositional analyses for the fuel's higher heating value (wet basis).
  - (e) The total sulfur and hydrogen sulfur content of the fuel gas shall be analyzed on a quarterly basis.
14. Source Testing/RATA: Within sixty days after startup of the gas turbines, and at a minimum on an annual basis thereafter, a relative accuracy test audit (RATA) must be performed on the CEMS in accordance with 40 CFR Part 60 Appendix B Performance Specifications and a source test shall be performed. Additional source testing may be required at the discretion of the District to address or ascertain compliance with the requirements of this permit. The written test results of the source tests shall be provided to the District within thirty days after testing. A complete test protocol shall be submitted to the District no later than 30 days prior to testing, and notification to the District at least ten days prior to the actual date of testing shall be provided so that a District observer may be present. The source test protocol shall comply with the following: measurements of NO<sub>x</sub>, CO, VOC, and stack gas oxygen content shall be conducted in accordance with ARB Test Method 100; measurements of PM<sub>10</sub> shall be conducted in accordance with ARB Test Method 5; and measurements of ammonia shall be conducted in accordance with Bay Area Air Quality Management District test method ST-1B. Alternative test methods, and source testing scope, may also be used to address the source testing requirements of the permit if approved in advance by the District. The initial and annual source tests shall include those parameters specified in the approved test protocol, and shall at a minimum include the following:
- a. NO<sub>x</sub> (as NO<sub>2</sub>) – ppmvd at 15% O<sub>2</sub> and lb/MMBtu (inlet to SCR (if applicable), and Exhaust);
  - b. Ammonia – ppmvd at 15% O<sub>2</sub> (Exhaust);
  - c. CO – ppmvd at 15% O<sub>2</sub> and lb/MMBtu (Exhaust);
  - d. VOC – ppmvd at 15% O<sub>2</sub> and lb/MMBtu (Exhaust);
  - e. PM<sub>10</sub> – lb/hr (Exhaust);
  - f. SO<sub>x</sub> – lb/hr (Exhaust);
  - g. Natural gas consumption, fuel High Heating Value (HHV), and total fuel sulfur content;
  - h. Turbine load in megawatts;
  - i. Stack gas flow rate (SDCFM) calculated according to procedures in U.S. EPA Method 19.
  - j. Exhaust gas temperature (°F)
  - k. Ammonia injection rate (lb/hr or moles/hr)
15. A written quality assurance program must be established in accordance with 40 CFR Part 75, Appendix B and 40 CFR Part 60 Appendix F.

16. The owner/operator shall comply with the applicable requirements of 40 CFR Part 60 Subpart GG.
17. The owner/operator shall notify the District of any breakdown condition consistent with the District's breakdown regulations.
18. The District shall be notified in writing in a timeframe consistent with the District's breakdown regulations following the correction of any breakdown condition. The breakdown condition shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the actions taken to restore normal operations.
19. Recordkeeping: The owner/operator shall maintain the following records:
  - (a) hourly, daily, quarterly and annual quantity of fuel used and corresponding heat input rates;
  - (b) the date and time of each occurrence, duration, and type of any startup, shutdown, or malfunction along with the resulting mass emissions during such time period;
  - (c) emission measurements from all source testing, RATAs and fuel analyses;
  - (d) daily, quarterly and annual hours of operation;
  - (e) hourly records of NO<sub>x</sub> and CO, emission concentrations and hourly ammonia injection rates and ammonia/NO<sub>x</sub> ratio.
  - (f) for the continuous emissions monitoring system; performance testing, evaluations, calibrations, checks, maintenance, adjustments, and any period of non-operation of any continuous emissions monitor.
20. All records required to be maintained by this permit shall be retained by the permittee for a period of five years and shall be made readily available for District inspection upon request.
21. Reporting: The owner/operator shall submit to the District a written report for each calendar quarter, within 30 days of the end of the quarter, which shall include:
  - (a) Daily and quarterly fuel use and corresponding heat input rates;
  - (b) Daily and quarterly mass emission rates for all criteria pollutants during normal operations and during other periods (startup/shutdown, breakdowns);
  - (c) Time intervals, date, and magnitude of excess emissions;
  - (d) Nature and cause of the excess emission, and corrective actions taken;
  - (e) Time and date of each period during which the CEM was inoperative, except for zero and span checks, and the nature of system repairs and adjustments;
  - (f) A negative declaration when no excess emissions occurred;
  - (g) Results of quarterly fuel analyses for HHV and total sulfur/hydrogen sulfide content; and
  - (h) A declaration that the owner/operator is in compliance with Governor's Executive Order D-26-01 and any other applicable Executive Order.

22. Emission Offsets: The owner/operator shall offset the project emissions in the amount and at the ratios outlined in Table 3. Emission offsets obtained through the State emission offset bank shall be valid for three years from the issuance of this permit at which time they shall become null and void. The owner/operator shall either obtain replacement emission offsets from the District or shall cease operations at the end of this 3-year period.

**TABLE 3 – EMISSION OFFSETS**

Pollutant	Emissions Requiring Offsets* (tons/yr)	Offset Ratio	Total ERCs Required (tons/yr)	Source of ERCs
NOx (as NO <sub>2</sub> )	125	1.2	150.0	State & Other
VOC	16.9	1.2	20.3	State & Other
CO	188.1	1.2	225.8	State & Other
SOx (as SO <sub>2</sub> )	4.4	1.2	5.3	State & Other
PM10	43.1	1.2	51.8	State & Other

\* Based on 4 turbines (LM6000) and 7,500 hours per year operation for each.

23. Executive Order Compliance: The owner/operator shall comply with the provisions of Governor's Executive Order D-26-01 and any other applicable Executive Order.
24. District Operating Permit: The owner/operator shall apply for and obtain all required operating permits from the District according to the requirements of the District's rules and regulations.

### **ALTERNATIVE EMISSION LIMITS**

FOR CAUSE, AN APPLICANT MAY PROPOSE AN ALTERNATE NOx EMISSION LIMIT UP TO, BUT NOT EXCEEDING, 25 PPM FOR THE SUMMER OF 2001. HOWEVER, THE APPLICANT MUST APPLY BACT AND MEET A NOx EMISSION LIMIT OF 5 PPM PRIOR TO JUNE 1, 2002. THE FOLLOWING ALTERNATE CONDITION 8 SHOULD BE USED IN THIS SITUATION.

8. Emission Limits:
- 8.1. Oxides of nitrogen (NOx) emissions from the gas turbine shall not exceed 25 ppmvd @ 15% O<sub>2</sub> (1-hour rolling average), except during periods of startup and shutdown as defined by this permit, through May 31, 2002. By June 1, 2002, NOx emissions from the gas turbine shall not exceed 5 ppmvd @ 15% O<sub>2</sub> (1-hour rolling average), except during startup and shutdown. The NOx emission concentrations shall be verified by a District-approved continuous emission monitoring system (CEMS) and during any required source test.

- 8.2 By June 1, 2002, ammonia emissions from the gas turbine shall not exceed 10 ppmvd @ 15% O<sub>2</sub> (1-hour rolling average), except during periods of startup and shutdown as defined in this permit. The ammonia emission concentration shall be verified by the continuous recording of the ratio of the ammonia injection rate to the NO<sub>x</sub> inlet rate to the SCR control system (molar ratio). A minimum NH<sub>3</sub>/NO<sub>x</sub> molar ratio of 1.0 shall be used at all times. The maximum allowable NH<sub>3</sub>/NO<sub>x</sub> molar ratio shall be determined during any required source test, and shall not be exceeded until reestablished through another valid source test.
- 8.3. By June 1, 2002, carbon monoxide (CO) emissions from the gas turbine shall not exceed 6 ppmvd @ 15 % O<sub>2</sub> (1-hour rolling average), except during periods of startup and shutdown as defined in this permit. The CO emission concentration shall be verified by a District-approved CEMS and during any required source test.
- 8.4 By June 1, 2002, volatile organic compound (VOC) emissions from the gas turbine shall not exceed 2 ppmvd @ 15% O<sub>2</sub> (1-hour rolling average), except during periods of startup and shutdown as defined in this permit. The VOC emission concentration shall be verified during any required source test.
- 8.5 Particulate matter emissions less than ten microns in diameter (PM<sub>10</sub>) from the gas turbine shall not exceed \_\_\_\_\_ pounds per hour, except during periods of startup and shutdown as defined in this permit. The PM<sub>10</sub> mass emission rate shall be verified during any required source test.
- 8.6 Oxides of sulfur emissions (SO<sub>x</sub>) from the gas turbine shall not exceed \_\_\_\_\_pounds per hour, except during periods of startup and shutdown as defined in this permit. The SO<sub>x</sub> emission rate shall be verified during any required source test.

**ATTACHMENT D**  
**California Energy Commission**  
**STANDARD CONDITIONS OF CERTIFICATION**  
**EMERGENCY PERMITTING PROJECTS**

**GENERAL CONDITIONS INCLUDING COMPLIANCE  
MONITORING AND CLOSURE PLAN**

**INTRODUCTION**

General conditions (and the Compliance Plan) have been established as required by Public Resources Code section 25532. The plan provides a means for assuring that the facility is constructed, operated and closed in accordance with applicable environmental and public health and safety laws, ordinances, regulations, and standards, and with conditions of certification as approved by the California Energy Commission (Energy Commission).

The Compliance Plan is comprised of general conditions and technical (environmental and engineering) conditions as follows:

General conditions that set forth the duties and responsibilities of the Compliance Project Manager (CPM), the project owner, and delegate agencies; the requirements for handling confidential information and maintaining the compliance record; procedures for settling disputes and making post-certification changes; administrative procedures to verify the compliance status; and requirements for facility closure plans.

Specific conditions for each technical area contain the measures required to mitigate potential adverse impacts associated with construction, operation and closure to an insignificant level. Specific conditions may also include a verification provision that describes the method of verifying that the condition has been satisfied.

**DEFINITIONS**

To ensure consistency, continuity and efficiency, the following terms, as defined, apply to all technical areas, including Conditions of Certification:

**SITE MOBILIZATION:**

Moving trailers and related equipment onto the site, usually accompanied by minor ground disturbance, grading for the trailers and limited vehicle parking, trenching for utilities, installing utilities, grading for an access corridor, and other related activities. Ground disturbance, grading, etc. for site mobilization are limited to the portion of the site necessary for placing the trailers and providing access and parking for the occupants. Site mobilization is for temporary facilities and is therefore not considered construction.

## **GROUND DISTURBANCE:**

Onsite activity that results in the removal of soil or vegetation, boring, trenching or alteration of the site surface. This does not include driving or parking a passenger vehicle, pickup truck, or other light vehicle, or walking on the site.

## **GRADING:**

Onsite activity conducted with earth-moving equipment that results in alteration of the topographical features of the site such as leveling, removal of hills or high spots, or moving of soil from one area to another.

## **CONSTRUCTION:**

[From Public Resources Code section 25105.] Onsite work to install permanent equipment or structures for any facility. Construction does **not** include the following:

- a) The installation of environmental monitoring equipment.
- b) A soil or geological investigation.
- c) A topographical survey.
- d) Any other study or investigation to determine the environmental acceptability or feasibility of the use of the site for any particular facility.
- e) Any work to provide access to the site for any of the purposes specified in a, b, c, or d.

## **COMPLIANCE PROJECT MANAGER (CPM) RESPONSIBILITIES**

A CPM will oversee the compliance monitoring and shall be responsible for:

1. ensuring that the design, construction, operation, and closure of the project facilities is in compliance with the terms and conditions of the Commission Decision;
2. resolving complaints;
3. processing post-certification changes to the conditions of certification, project description, and ownership or operational control;
4. documenting and tracking compliance filings; and,
5. Ensuring that the compliance files are maintained and accessible.

The CPM is the contact person for the Energy Commission and will consult with appropriate responsible agencies and the Energy Commission when handling disputes, complaints and amendments.

The Commission has established a toll free compliance telephone number of **1-800-858-0784** for the public to contact the Commission about power plant construction or operation-related questions, complaints or concerns.



## **PRE-CONSTRUCTION AND PRE-OPERATION COMPLIANCE MEETING**

The CPM may schedule pre-construction and pre-operation compliance meetings prior to the projected start-dates of construction, plant operation, or both. The purpose of these meetings will be to assemble both the Energy Commission's and the project owner's technical staff to review the status of all pre-construction or pre-operation requirements contained in the Energy Commission's conditions of certification to confirm that they have been met, or if they have not been met, to ensure that the proper action is taken.

## **ENERGY COMMISSION RECORD**

The Energy Commission shall maintain as a public record, in either the Compliance file or Docket file, for the life of the project (or other period as required):

1. All documents demonstrating compliance with any legal requirements relating to the construction and operation of the facility;
2. All complaints of noncompliance filed with the Energy Commission; and,
3. All petitions for project modifications and the resulting staff or Energy Commission action taken.

## **PROJECT OWNER RESPONSIBILITIES**

It is the responsibility of the project owner to ensure that the general compliance conditions and the conditions of certification are satisfied. The general compliance conditions regarding post-certification changes specify measures that the project owner must take when requesting changes in the project design, compliance conditions, or ownership. Failure to comply with any of the conditions of certification or the general compliance conditions may result in reopening of the case and revocation of Energy Commission certification, an administrative fine, or other action as appropriate.

## **ACCESS**

The CPM, responsible Energy Commission staff, and delegate agencies or consultants, shall be guaranteed and granted unrestricted access to the power plant site, related facilities, project-related staff, and the records maintained on site, for the purpose of conducting audits, surveys, inspections, or general site visits. Although the CPM will normally schedule site visits on dates and times agreeable to the project owner, the CPM reserves the right to make unannounced visits at any time.

## **COMPLIANCE RECORD**

The project owner shall maintain project files on-site or at an alternative site approved by the CPM, for the life of the project. The files shall contain copies of all "as-built" drawings, all documents submitted as verification for conditions, and all other project-related documents for the life of the project, unless a lesser period is specified by the conditions of certification.

Energy Commission staff and delegate agencies shall, upon request to the project owner, be given unrestricted access to the files.

## **COMPLIANCE VERIFICATIONS**

Condition of certification may have appropriate means of “verification”. The verification describes the Energy Commission’s procedure(s) to ensure post-certification compliance with adopted conditions. The verification procedures, unlike the conditions, may be modified, as necessary by the CPM, without full Energy Commission approval.

Verification of compliance with the conditions of certification can be accomplished by:

1. reporting on the work done and providing the pertinent documentation in monthly and/or annual compliance reports filed by the project owner or authorized agent as required by the specific conditions of certification;
2. appropriate letters from delegate agencies verifying compliance;
3. Energy Commission staff audits of project records; and/or
4. Energy Commission staff inspections of mitigation and/or other evidence of mitigation.

A cover letter from the project owner or authorized agent is required for all compliance submittals and correspondence pertaining to compliance matters. **The cover letter subject line shall identify the involved condition(s) of certification by condition number and include a brief description of the subject of the submittal.**

All submittals shall be addressed as follows:

**Compliance Project Manager  
California Energy Commission  
1516 Ninth Street (MS-2000)  
Sacramento, CA 95814**

## **CONFIDENTIAL INFORMATION**

Any information, which the project owner deems confidential shall be submitted to the Energy Commission’s Docket with an application for confidentiality pursuant to Title 20, California Code of Regulations, section 2505(a). Any information, which is determined to be confidential, shall be kept confidential as provided for in Title 20, California Code of Regulations, section 2501 et. seq.

## **REPORTING OF COMPLAINTS, NOTICES, AND CITATIONS**

Prior to the start of construction, the project owner must send a letter to property owners living within 500 feet of the project notifying them of a telephone number to contact project representatives with questions, complaints or concerns. If the telephone is not staffed 24 hours per day, it shall include automatic answering, with date and time stamp recording. The telephone number shall be posted at the project site and easily visible to passersby during construction and operation.

The project owner shall report and provide copies of all complaint forms, notices of violation, notices of fines, official warnings, and citations, within 10 days of receipt, to the CPM.

## **GENERAL CONDITIONS FOR FACILITY CLOSURE**

In order to ensure that a planned facility closure does not create adverse impacts, plant closure must be consistent with all applicable laws, ordinances, regulations, standards (LORS), and local/regional plans in existence at the time of closure. To ensure adequate review of a planned project closure, the project owner shall submit a proposed facility closure plan to the Energy Commission for review and approval at least three months prior to commencement of closure activities (or other period of time agreed to by the CPM).

## **DELEGATE AGENCIES**

To the extent permitted by law, the Energy Commission may delegate authority for compliance verification and enforcement to various state and local agencies that have expertise in subject areas where specific requirements have been established as a condition of certification. If a delegate agency does not participate in this program, the Energy Commission staff will establish an alternative method of verification and enforcement. Energy Commission staff reserves the right to independently verify compliance.

In performing construction and operation monitoring of the project, the Energy Commission staff acts as, and has the authority of, the Chief Building Official (CBO). The Commission staff retains this authority when delegating to a local CBO. Delegation of authority for compliance verification includes the authority for enforcing codes, the responsibility for code interpretation where required, and the authority to use discretion, as necessary, in implementing the various codes and standards.

## **ENFORCEMENT**

The Energy Commission's legal authority to enforce the terms and conditions of its Decision is specified in Public Resources Code sections 25534 and 25900. The Energy Commission may amend or revoke the certification for any facility, and may impose a civil penalty for any significant failure to comply with the terms or conditions of the Commission Decision. The specific action and amount of any fines the Commission may impose would take into account the specific circumstances of the incident(s). This would include such factors as the previous compliance history, whether the cause of the incident involves willful disregard of LORS, inadvertence, unforeseeable events, and other factors the Commission may consider.

Moreover, to ensure compliance with the terms and conditions of certification and applicable laws, ordinances, regulations, and standards, delegate agencies are authorized to take any action allowed by law in accordance with their statutory authority, regulations, and administrative procedures.

## **NONCOMPLIANCE COMPLAINT PROCEDURES**

Any person or agency may file a complaint alleging noncompliance with the conditions of certification. Such a complaint will be subject to review by the Energy Commission pursuant to Title 20, California Code of Regulations, section 1230 et. seq., but in many instances the noncompliance can be resolved by using the informal dispute resolution process. Both the informal and formal complaint procedures, as described in current State law and regulations, are described below. They shall be followed unless superseded by current law or regulations.

### **INFORMAL DISPUTE RESOLUTION PROCEDURE**

The following procedure is designed to informally resolve disputes concerning interpretation of compliance with the requirements of this compliance plan. The project owner, the Energy Commission, or any other party, including members of the public, may initiate this procedure for resolving a dispute. Disputes may pertain to actions or decisions made by any party including the Energy Commission's delegate agents.

This procedure may precede the more formal complaint and investigation procedure specified in Title 20, California Code of Regulations, section 1230 et. seq., but is not intended to be a substitute for, or prerequisite to it. This informal procedure may not be used to change the terms and conditions of certification as approved by the Energy Commission, although the agreed upon resolution may result in a project owner proposing an amendment.

The procedure encourages all parties involved in a dispute to discuss the matter and to reach an agreement resolving the dispute. If a dispute cannot be resolved, then the matter must be referred to the full Energy Commission for consideration via the complaint and investigation process. The procedure for informal dispute resolution is as follows:

#### **REQUEST FOR INFORMAL INVESTIGATION**

Any individual, group, or agency may request the Energy Commission to conduct an informal investigation of alleged noncompliance with the Energy Commission's terms and conditions of certification. All requests for informal investigations shall be made to the designated CPM.

Upon receipt of a request for informal investigation, the CPM shall promptly notify the project owner of the allegation by telephone and letter. All known and relevant information of the alleged noncompliance shall be provided to the project owner and to the Energy Commission staff. The CPM will evaluate the request and the information to determine if further investigation is necessary. If the CPM finds that further investigation is necessary, the project owner will be asked to promptly investigate the matter and within seven (7) working days of the CPM's request, provide a written report of the results of the investigation, including corrective measures proposed or undertaken, to the CPM. Depending on the urgency of the noncompliance matter, the CPM may

conduct a site visit and/or request the project owner to provide an initial report, within forty-eight (48) hours, followed by a written report filed within seven (7) days.

### **REQUEST FOR INFORMAL MEETING**

In the event that either the party requesting an investigation or the Energy Commission staff is not satisfied with the project owner's report, investigation of the event, or corrective measures undertaken, either party may submit a written request to the CPM for a meeting with the project owner. Such request shall be made within fourteen (14) days of the project owner's filing of its written report. Upon receipt of such a request, the CPM shall:

1. Immediately schedule a meeting with the requesting party and the project owner, to be held at a mutually convenient time and place and secure the attendance of appropriate Energy Commission staff and staff of any other agency with expertise in the subject area of concern as necessary;
2. Conduct such meeting in an informal and objective manner; and,
3. After the conclusion of such a meeting, promptly prepare and distribute copies to all in attendance and to the project file, a summary memorandum which fairly and accurately identifies the positions of all parties and any conclusions reached.

### **FORMAL DISPUTE RESOLUTION PROCEDURE-COMPLAINTS AND INVESTIGATIONS**

If either the project owner, Energy Commission staff, or the party requesting an investigation is not satisfied with the results of the informal dispute resolution process, such party may file a complaint or a request for an investigation with the Energy Commission's General Counsel. Disputes may pertain to actions or decisions made by any party including the Energy Commission's delegate agents. Requirements for complaint filings and a description of how complaints are processed are in Title 20, California Code of Regulations, section 1230 et. seq.

The Chairman, upon receipt of a written request stating the basis of the dispute, may grant a hearing on the matter, consistent with the requirements of noticing provisions. The Commission shall have the authority to consider all relevant facts involved and make any appropriate orders consistent with its jurisdiction (Title 20, California Code of Regulations, sections 1232 - 1236).

### **POST CERTIFICATION CHANGES TO THE COMMISSION DECISION: AMENDMENTS, INSIGNIFICANT PROJECT CHANGES**

The project owner must petition the Energy Commission, pursuant to Title 20, California Code of Regulations, section 1769, to 1) delete or change a condition of certification; 2) modify the project design or operational requirements; and 3) transfer ownership or operational control of the facility.

A petition is required for **amendments** and for **insignificant project changes**. In all cases, the petition or letter requesting a change should be submitted to the Commission's Docket in accordance with Title 20, California Code of Regulations, section 1209. The criteria that determine which type of change process applies are explained below.

## **EXECUTIVE ORDER**

Executive Order D-25-01 issued by the Governor of the State of California, which accelerates processing of certain project modifications, will be applied to all qualifying project modifications requested until December 31, 2001.

## **AMENDMENT**

A proposed project modification will be processed as an amendment if it involves a change to a condition of certification, an ownership or operator change, or a potential significant environmental impact.

## **INSIGNIFICANT PROJECT CHANGE**

The proposed modification will be processed as an insignificant project change if it does not require changing the language in a condition of certification, have a potential for significant environmental impact, and cause the project to violate laws, ordinances, regulations or standards.

## **VERIFICATION CHANGE**

Changes to condition verifications require CPM approval and may require either a written or oral request by the project owner. The CPM will provide written authorization of verification changes.

## TECHNICAL AREA CONDITIONS OF CERTIFICATION

The following standard technical conditions of certification will apply, only if checked off, on a case-by-case basis, to peaker power plant applications for the emergency permitting process. Additional conditions may be required if identified during the certification process, on a case-by-case basis.

### NOISE

§ NOISE-1 The project permitted under this emergency process shall be required to comply with applicable community noise standards.

**Verification:** Within 30 days of the project first achieving a sustained output of 80 percent or greater of rated capacity, the project owner shall conduct a 25-hour community noise survey, utilizing the same monitoring sites employed in the pre-project ambient noise survey as a minimum. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. Steam relief valves shall be adequately muffled to preclude noise that draws legitimate complaints. If the results from the survey indicate that the project noise levels at the closest sensitive receptor are in excess of XX.X dBA Leq, additional mitigation measures shall be implemented to reduce noise to a level of compliance with this limit.

§ NOISE-2 Prior to the start of rough grading, the project owner shall notify all residents within one mile of the site of the start of construction and will provide a complaint resolution process.

**Verification:** The project owner shall provide the CPM with a statement, attesting that the above notification has been performed.

§ NOISE-3 Throughout the construction and operation of the project, the project owner shall document, investigate, evaluate, and attempt to resolve all project related noise complaints.

**Verification:** Within 30 days of receiving a noise complaint, the project owner shall file a copy of the Noise Complaint Resolution Form, or similar instrument approved by the CPM, with the County Environmental Health Department, and with the CPM, documenting the resolution of the complaint. If mitigation is required to resolve a complaint, and the complaint is not resolved within a 30-day period, the project owner shall submit an updated Noise Complaint Resolution Form when the mitigation is finally implemented.

§ NOISE-4 Night construction activities may be authorized by the CPM if they are consistent with local noise ordinances. Night construction, or specific night construction activities may be disallowed by the CPM if it results in significant impact to the surrounding community.

**Verification:** Noise monitoring and surveys may be conducted if complaints are reported by residence in the surrounding area of the project site.

## **HAZARDOUS MATERIALS MANAGEMENT**

**§ HAZ-1** The project owner shall not use any hazardous material in reportable quantities unless approved by the CPM.

**Verification:** The project owner shall provide in the Annual Compliance Report a list of hazardous materials used at the facility in reportable quantities.

**§ HAZ-2** The project owner shall submit both the Business Plan and Risk Management Plan to the CPM for review and comment, and shall also submit these plans and/or procedures to the County Fire Department for approval.

**Verification:** 30 days (or a CPM-approved alternative timeframe) prior to the initial delivery of any hazardous materials in reportable quantities to the facility, the project owner shall submit the Business and Risk Management Plan to the CPM for review and comment. At the same time, the project owner shall submit these plans to the County Fire Department for approval. The project owner shall also submit evidence to the CPM that the County Fire Department approved of these plans, when available.

## **WASTE**

**§ WASTE-1** The project owner shall obtain a hazardous waste generator identification number from the Department of Toxic Substances Control prior to producing any hazardous waste.

**Verification:** The project owner shall keep its copy of the identification number on file at the project site.

**§ WASTE-2** The project owner shall have an environmental professional available for consultation during soil excavation and grading activities. The environmental professional shall be given full authority to oversee any earth moving activities that have the potential to disturb contaminated soil. The environmental professional shall meet the qualifications of such as defined by the American Society for Testing and Materials designation E 1527-97 Standard Practice for Phase I Environmental Site Assessments.

**Verification:** If potentially contaminated soil is unearthed during excavation at either the proposed site or linear facilities, the environmental professional shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and make a recommended course of action. The environmental professional shall have the authority to suspend construction activity at that location. If, in the opinion of the environmental professional, remediation is to be required, the project owner shall consult with the CPM and a decision will be made by the CPM within 24 hours as to how to proceed.



## **BIOLOGICAL**

**Š BIO-1** The project permitted under this emergency process will avoid all impacts to legally protected species and their habitat on site, adjacent to the site and along the right of way for linear facilities.

**Š BIO-2** The project permitted under this emergency process will avoid all impacts to designated critical habitat (wetlands, vernal pools, riparian habitat, preserves) on site or adjacent to the site.

**Š BIO-3** The project permitted under this emergency process will avoid all impacts to locally designated sensitive species and protected areas.

**Š BIO-4** The project permitted under this emergency process will reduce risk of large bird electrocution by electric transmission lines and any interconnection between structures, substations and transmission lines by using construction methods identified in "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996" (APLIC 1996).

**Š BIO-5** The project biologist, a person knowledgeable of the local/regional biological resources, and CPM will have access to the site and linear rights-of-way at any time prior to and during construction and have the authority to halt construction in an area necessary to protect a sensitive biological resource at any time.

**Š BIO-6** Upon decommissioning the site, the biological resource values will be reestablished at preconstruction levels or better.

**Verification:** If the Designated Biologist halts construction, the action will be reported immediately to the CPM along with the recommended implementation actions to resolve the situation or decide that additional consultation is needed. Throughout construction, the project owner shall report on items one through six above if identified resources are found or impacted.

## **LAND USE**

**Š LAND-1** The project permitted under this emergency process will conform to all applicable local, state and federal land use requirements, including general plan policies, zoning regulations, local development standards, easement requirements, encroachment permits, truck and vehicle circulation plan requirements, Federal Aviation Administration approval, and the Federal Emergency Management Agency National Flood Insurance Program.

**Verification:** Prior to start of construction, the project owner will submit to the CPM documentation verifying compliance with the above referenced land use requirements.

## **TRAFFIC AND TRANSPORTATION**

§ **TRANS-1** The project permitted under this emergency process shall comply with Caltrans and City/County limitations on vehicle sizes and weights. In addition, the project owner or its contractor shall obtain necessary transportation permits from Caltrans and all relevant jurisdictions for roadway use.

**Verification:** The project owner shall keep copies of any oversize and overweight transportation permits received at the project site.

§ **TRANS-2** The project permitted under this emergency process shall comply with Caltrans and City/County limitations for encroachment into public rights-of-way and shall obtain necessary encroachment permits from Caltrans and all relevant jurisdictions.

**Verification:** The project owner shall keep copies of any encroachment permits received at the project site.

§ **TRANS-3** The project permitted under this emergency process shall ensure that permits and/or licenses are secured from the California Highway Patrol and Caltrans for the transport of hazardous materials.

**Verification:** The project owner shall keep copies of all permits/licenses acquired by the project owner and/or subcontractors concerning the transport of hazardous substances at the project site.

§ **TRANS-4** Following completion of construction of the power plant and all related facilities, the project owner shall return all roadways to original or as near original condition as possible.

## **SOIL & WATER RESOURCE**

§ **SOIL&WATER-1** Prior to ground disturbance, the project owner shall obtain CPM approval of a Storm Water Pollution Prevention Plan (SWPPP) as required under the General Storm Water Construction Activity Permit for the project.

**Verification:** Prior to ground disturbance, the project owner will submit a copy of the Storm Water Pollution Prevention Plan for the project to the CPM.

§ **SOIL&WATER-2** Prior to ground disturbance, the project owner shall obtain CPM approval of an Erosion Prevention and Sedimentation Control Plan.

**Verification:** The Erosion Control and Storm Water Management Plan for the project shall be submitted to the CPM prior to ground disturbance.

**§ SOIL&WATER-3** Prior to site mobilization, the project owner shall submit to the CPM, a copy of a valid water service agreement for water supplies for the project from an authorized water purveyor, or a copy of a valid well permit for the project from the appropriate licensing agency.

**§ SOIL & WATER-4** Prior to ground disturbance, the project owner shall submit to the CPM a copy of a valid permit or agreement from the appropriate approving agency for wastewater discharge.

## **CULTURAL**

**§ CUL-1** The project certified under this emergency process shall not cause any significant impact to cultural resources on the power plant site or linear rights of way.

**§ CUL-2** The project has been determined to have the potential to adversely affect significant cultural resources and the project owner shall ensure the completion of the following actions/activities:

1. Provide a cultural specialist who will have access to the site and linear rights-of-way at any time prior to and during ground disturbance.
2. The cultural specialist will provide training to appropriate construction personnel at the site, will install avoidance measures (as necessary), and will be present during appropriate ground disturbing activities. The cultural specialist has the authority to halt construction at a location if a significant cultural resource is found. If resources are discovered and the cultural specialist is not present, the project owner will halt construction at that location and will contact the specialist immediately. The specialist will consult with the CPM and a decision will be made by the CPM within 24-hours as to how to proceed.
3. The project owner shall allow time for the cultural specialist to recover significant resource finds, and pay all fees necessary to curate recovered significant resources.

**Verification:** Throughout construction, the project owner shall inform the CPM concerning any substantive activity related to items 1 through 4 above. Should curation be necessary, the project owner shall inform the CPM as to how and where the resources were curated.

## **VISUAL**

**§ VIS-1** Project structures treated during manufacture and all structures treated in the field, that are visible to the public, shall be painted in a neutral color consistent with the surrounding environment.

**Verification:** Prior to painting exposed services, the project owner shall identify the selected color for CPM approval.

**§ VIS-2** The project owner shall design and install all lighting such that light bulbs and reflectors are not visible from public viewing areas and illumination of the vicinity and the nighttime sky is minimized. Lighting must also be installed consistent with any local requirements.

**§ VIS-3** The project owner shall prepare and submit to the local planning department for review and comment, and to the CPM for review and approval a landscaping plan which provides for any or all of the following, as appropriate, to screen the project from view: berms, vegetation and trees, and slats in fencing.

**Verification:** Within 30 days of certification, the project owner shall submit the landscaping plan to the local planning department and the CPM.

## **FACILITY DESIGN**

**§ GEN-1** The project owner shall design, construct and inspect the project in accordance with the 1998 California Building Code (CBC) and all other applicable LORS in effect at the time initial design plans are submitted to the CBO for review and approval.

**Verification:** Within 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) after receipt of the Certificate of Occupancy, the project owner shall submit to the CPM a statement of verification, signed by the responsible design engineer, attesting that all designs, construction, installation and inspection requirements of the applicable LORS and the Energy Commission's Decision have been met. The project owner shall provide the CPM a copy of the Certificate of Occupancy within 30 days of receipt from the CBO [1998 CBC, Section 109 – Certificate of Occupancy.] The project owner shall keep copies of plan checks and CBO inspection approvals at the project site.

## **PALEONTOLOGICAL**

**§ PALEO-1** The project certified under this emergency process shall not cause any significant impact to paleontological resources on the power plant site or linear rights of way.

**§ PALEO-2** The project has been determined to have the potential to adversely affect significant paleontological resources and the project owner shall ensure the completion of the following actions/activities:

1. Provide a paleontological specialist who will have access to the site and linear rights-of-way at any time prior to and during ground disturbance.
2. The paleontological specialist will provide training to appropriate construction personnel at the site, will install avoidance measures (as necessary), and will be present during appropriate ground disturbing activities. The cultural specialist has the authority to halt construction at a location if a significant paleontological resource

is found. If resources are discovered and the specialist is not present, the project owner will halt construction at that location and will contact the specialist immediately. The specialist will consult with the CPM and a decision will be made by the CPM within 24-hours as to how to proceed.

3. The project owner shall allow time for the paleontological specialist to protect significant resource finds, and pay all fees necessary to protect any significant resources.

**Verification:** Throughout construction, the project owner shall inform the CPM concerning any substantive activity related to items 1 through 4 above.

## **TRANSMISSION SYSTEM ENGINEERING, SAFETY AND RELIABILITY**

**§ TSE-1** The project owner shall ensure that the design, construction and operation of the proposed transmission facilities will conform to requirements listed below:

The power plant switchyard, outlet line and termination shall meet or exceed the electrical, mechanical, civil and structural requirements of CPUC General Order 95, CPUC Rule 21, Title 8, CCR, Articles 35, 36 and 37 of the, "High Voltage Electric Safety Orders", Title 8 CCR, Sections 2700-2974, CPUC Decision 93-11-013, Federal Communications Commission Part 15, Public Resources Code 4292-4296, and National Electric Code (NEC).

**Verification:** Within 15 days after cessation of construction the project owner shall provide a statement to the CPM from the registered engineer in responsible charge (signed and sealed) that the switchyard and transmission facilities conform to the above listed requirements.

## **WORKER AND FIRE SAFETY**

**§ WORKER SAFETY-1** The project owner must comply with all requirements in Title 8 of the California Code of Regulations, beginning with Part 450 (8 CCR Part 450 et seq).

**Verification:** The project owner shall submit to the CPM a letter attesting to compliance with the above and shall report any violations to the CPM.

## **AIR QUALITY**

**§ AQ-1** Prior to the commencement of project construction, the project owner shall prepare a Construction Fugitive Dust Mitigation Plan that will specifically identify fugitive dust mitigation measures that will be employed for the construction of the project and related facilities.

Measures that should be addressed include the following:

- the identification of the employee parking area(s) and surface of the parking area(s);
- the frequency of watering of unpaved roads and disturbed areas;
- the application of chemical dust suppressants;
- the stabilization of storage piles and disturbed areas;
- the use of gravel in high traffic areas;
- the use of paved access aprons;
- the use of posted speed limit signs;
- the use of wheel washing areas prior to large trucks leaving the project site;
- the methods that will be used to clean tracked-out mud and dirt from the project site onto public roads; and
- for any transportation of borrowed fill material, the use of covers on vehicles, wetting of the material, and insuring appropriate freeboard of material in the vehicles.

**Verification:** The project owner shall submit to the CPM a letter attesting to compliance with the above and shall report any violations to the CPM.